

Remarks

The Office Action mailed March 27, 2006 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-61 are pending in this application. Claims 1-61 are subject to a restriction requirement. Claims 1, 7, 14, 23, 30, 44, 50 and 57 have been amended.

In response to the election requirement set forth in the Office Action, Applicants elect, with traverse, for prosecution in this application all claims of Group I as identified in the Office Action. Claims 1-6, 9, 13-18, 23-27, 29-33, 36, 38, 40-42, 44-47, 49-54 and 56-60 are in the elected claim group. According to the Office Action, Claims 1-6, 9, 13-18, 23-27, 29-33, 36, 38, 40-42, 44-47, 49-54 and 56-60 are drawn to a "method [for] generating a standard documentation file".

Reconsideration of the restriction requirement imposed under 35 U.S.C. § 121 is respectfully requested. The restriction requirement is traversed because the inventions set out by the claims in Groups I and II are clearly related. Applicants submit that a thorough search and examination of Group I would be relevant to the examination of Group II and would not be a serious burden on the Examiner. Indeed, the claims of Group I and Group II are encompassed by a single class (Class 705), and it is not evident how the searching of a single class could present an unreasonable burden on the Examiner. Because the claims in Groups I and II are encompassed by a single class, the assertion that the claim groups have acquired a separate status in the art because of their recognized divergent subject matter is respectfully traversed and submitted to be unsupported on the present record. Therefore, to the extent that the restriction requirement relies on this assertion, it is respectfully submitted that the restriction requirement is improper and should be withdrawn.

The restriction requirement with respect to the claims in Groups I and II is further traversed. The Office Action asserts that "Inventions I and II are related as subcombinations disclosed as usable together in a single combination." The Office Action further asserts that in "the instant case, the subcombination II has separate utility such as being used in mortgage underwriting systems." Applicants traverse these assertions. Applicants respectfully submit that

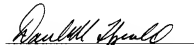
the Office Action fails to show that the claims of Groups I and II recite “(1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations” as required by MPEP § 806.05(c). Accordingly, the restriction requirement with respect to the claims of Groups I and II is improper.

Moreover, Applicants have amended Claims 1, 7, 14, 23, 30, 44, 50 and 57. Applicants respectfully submit that Claims 1-61 are directed to conducting a due diligence including generating at least one standard documentation file as part of the due diligence. The assertion in the Office Action that in “the instant case, the subcombination II has separate utility such as being used in mortgage underwriting systems” is unfounded. Applicants submit that one skilled in the art would understand from reading the originally filed specification and reviewing the figures that the term “underwriting” as used in the claims refers to a phase of a due diligence process. In other words, the claims of Group I and the claims of Group II are directed to a related invention. Accordingly, the restriction requirement with respect to the claims of Groups I and II is improper and should be withdrawn.

In addition, requirements for restriction are not mandatory under 35 U.S.C. Accordingly, reconsideration of the restriction requirement is requested.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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